

REMARKS

Applicants respectfully request reconsideration of this application, as amended.

Applicants note with appreciation the indication of allowable subject matter within Claims 15–32 and 34–36.

Claim Rejections -- § 101

Claims 37–48 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter due to the use of the phrase “adapted to.” While applicant submits that this rejection is improper, Claim 37 has been amended to recite a processor that “executes instructions to perform a filtering method, said filtering method including...” in an effort to expedite prosecution. Claims 43–48 have been similarly amended to remove the phrase “adapted to.”

Applicants submit that the § 101 rejections have been overcome.

Claim Rejections -- § 112

Claims 1 and 25 were rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting the step of “creating a filtered data table.” While applicant believes that the claim is not incomplete, Claims 1 and 25 have been amended to include this step in an effort to expedite prosecution. Claims 1, 15 and 25 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In response, Claim 1 has been amended to remove the word “that” in line 3, Claim 15 has been amended to remove the word “that” in lines 3, 9 and 25, and Claim 25 has been amended to reference, more precisely, the “one or more user-selected data groupings” (introduced in line 2) within the body of the claim. Claims 1, 15, 25 and 37 have also been amended for clarity and not for reasons related to patentability.

Applicants submit that the § 112 rejections have been overcome, and that Claims 15–32 and 34–36 are in condition for allowance.

Claim Rejections -- § 102

Claims 1–2, 4–14 and 37–48 were rejected under 35 U.S.C. § 102(e) as being anticipated by Shiiyama (US 6,247,009). Applicants respectfully traverse.

Claim 1 is directed to a computer-implemented information filtering method and recites, *inter alia*, accepting a user input for selecting or de-selecting at least one of a plurality of data groupings within a filter tree table, said data groupings being associated with a plurality of data items in an unfiltered data table, generating a filtering query, including at least one query operator, based on said at least one data grouping selected from said plurality of data groupings, running said filtering query against said unfiltered data table, receiving a plurality of filtered data items from said unfiltered data table in response to said filtering query, creating a filtered data table including said plurality of filtered data items, and displaying said filtered data table and said filter tree table. Claim 37 is directed to an information retrieval apparatus, and, as amended, recites similar subject matter. Applicants respectfully submit that Shiiyama fails to teach or suggest these features.

Shiiyama discloses an image data management system that searches an image storage unit for image data based on a "search condition" input by a user. *See*, e.g., Col. 13:28–30, Col. 14:18–20, Col. 15:10–11, etc. Initially, all of the image data within image storage unit 4 (i.e., unfiltered data) are presented as thumbnail images to a user, who "selects a thumbnail image similar to his or her desired image data" (Col. 9:29–31). The system acquires the selected thumbnail image's "image feature amount" from image management database 13, and then searches image feature index 9 for similar image data based on the selected thumbnail image's "image feature amount" (Col. 9:31–36). The search results (i.e., filtered data) are sorted based on "evaluation values," calculated based on search matching rates and user's votes, and are then displayed to the user as thumbnail images (Col. 9:39–43).¹ Alternatively, the user may initially input a search word, rather than selecting a thumbnail image, as the search condition. However, subsequent processing and selection of thumbnail images by the user remains the same. *See*, e.g., Col. 10:32 to Col. 11:57.

Shiiyama fails to disclose a filter tree table with selectable data groupings. Instead, Shiiyama's "search condition" is either the selection of a thumbnail image or the inputting of an initial search word. Since Shiiyama fails to disclose the claimed selectable data groupings within a filter tree table, it follows that Shiiyama also fails to teach or suggest accepting an input from

¹ The user then (1) begins a new search, (2) ends the search by selecting a thumbnail image or (3) refines the search by selecting a thumbnail image and initiating another iteration of the search process described above. *See*, e.g., Col. 9:54 to Col. 10:19.

a user for selecting or de-selecting at least one of the data groupings within the filter tree table, as recited by Claims 1 and 37. Similarly, Shiiyama fails to teach or suggest generating a filtering query based on the selected data groupings, as recited by Claims 1 and 37. And, of course, Shiiyama fails to teach or suggest displaying the filter tree table.

The Office Action alleges that Shiiyama's selection of a thumbnail image (Col. 9:29–31) anticipates the claimed accepting a user input for selecting or de-selecting at least one of a plurality of data groupings within a filter tree table. *See*, Office Action at Page 5, Paragraph 5. Applicants disagree. In response to Applicants previous arguments and in support of this rejection, the Office Action cites Shiiyama at Col. 9:30–36, discussed in detail above, and draws the following conclusion: "This suggests the searching for similar image data based on the selected image, which corresponds to the selecting of a thumbnail, and retrieve the images based on the query generation" (Office Action at Page 2, Paragraph 2). Notwithstanding the Office Action's attempt to draw an analogy between Shiiyama's selection of a thumbnail image presented to a user and the claimed selection of a data grouping within a filter tree table, the Office Action fails to identify the claimed filter tree table in which the selectable data groupings reside. And for good reason – Shiiyama simply fails to disclose a filter tree table, which is a table that includes selectable data groupings that are associated with data items in an unfiltered data table.² Furthermore, Shiiyama's thumbnail image is not a selectable data grouping, which is any grouping of data capable of being selected by a user.³ Thus, Shiiyama fails to teach or suggest the claimed accepting a user input for selecting or de-selecting at least one of a plurality of data groupings within a filter tree table, as recited by Claims 1 and 37. Moreover, none of the remaining references, taken either singly or in combination, cures this deficiency.

Accordingly, Claims 1 and 37 are allowable over the cited references. Claims 2 and 4–14, depending from Claim 1, and Claims 38–48, depending from Claim 37, are also allowable, at least for the reasons discussed above.

² *See*, e.g., Specification at Paragraphs 0029–30 (Page 11), 0041–42 (Pages 14–15).

³ *See*, e.g., Specification at Paragraph 0062 (Page 21).

This may include data groupings such as a table column (i.e., "Status," for example), records, or may include any data grouping based on the data within a data set. For example, a data grouping may be "Date Due," which is a first filter level 411 and is also a table column. Other data groupings could be a year or a month of a particular year, for example.

Id.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance and should now be passed to issue.

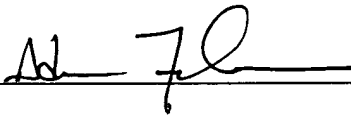
A Notice of Allowance is respectfully solicited.

If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

The Commissioner is hereby authorized to charge any fees and to credit any overpayments that may be required by this paper under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 02-2135.

Respectfully submitted,

September 26, 2006

By: 

Rothwell, Figg, Ernst & Manbeck P.C.
1425 K Street, N.W., Suite 800
Washington, D.C. 20005
(202) 783-6040 (voice)
(202) 783-6031 (fax)

Joseph A. Hynds
Reg. No. 34,627

Adam M. Treiber
Reg. No. 48,000

#942675_1